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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/556,390

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Soungbong Choi

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EXAMINER

CORMIER, DAVID G

ART UNIT

PAPER NUMBER

1711

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/556,390	<b>Applicant(s)</b> CHOI, SOUNGBONG	
	<b>Examiner</b> DAVID CORMIER	<b>Art Unit</b> 1711	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 16 February 2011.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) 1 and 9-11 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2-8 and 12-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 November 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>11272006, 03302009, 03232011</u> . | 6) <input type="checkbox"/> Other: _____  |

Art Unit: 1711

## **DETAILED ACTION**

### **Election/Restrictions**

1. Applicant's election with traverse of Group II, Claims 2-8 and 24, in the reply filed on February 16, 2011 is acknowledged. The traversal is on the ground(s) that Groups I, II, and III relate to the same or corresponding special technical features. Applicant notes that the prior art relied upon, Guzzi et al. (US 2001/0049846), discusses an RFID tag 56 containing information consisting of only a serial number, but the claims are directed to the same or corresponding special technical feature of information tags having various types of information. This is found persuasive in part, and the restriction between the method claims of Groups II and III is withdrawn. However, Group I directed to an apparatus having a "reader unit for receiving a signal from an information tag on each piece of laundry introduced to an inside of the drum, to obtain information stored in the information tags; [and] a display unit for displaying various kinds of information obtained by the reader unit" is still considered to lack unity of invention with the method claims. The clauses "for receiving..." and "for displaying..." are considered to be intended use of the apparatus. The apparatus of Group I does not require the intended use, and the intended use is not a positively recited claim element. It is not sufficient that the apparatus merely be capable of carrying out the claimed process to establish unity of invention. MPEP 1850 (III) (A). Group III will be examined with Group II, but the restriction between the method and apparatus claims is considered to be proper and is maintained.

The requirement is still deemed proper and is therefore made FINAL.

Art Unit: 1711

### **Information Disclosure Statement**

2. The citation to Guzzi et al. (US 2001/0049846) in the IDS filed on 3/23/2011 is crossed out, and is not initialed, because it is a duplicate citation.

### **Claim Rejections - 35 USC § 112**

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 2-8, 16, 22, and 24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. Claim 16 recites the limitation "the memory." There is insufficient antecedent basis for this limitation in the claim.

6. Claims 16 and 22 are not understood. It is unclear if the limitations of these claims are an attempt to clarify the steps of the respective parent claims, or something else entirely. It is unclear if the information obtained after the information is retrieved is merely the same information which was originally obtained. Claims 16 and 22 are interpreted as merely clarifying claims 12 and 18. Clarification or amendment is requested.

7. Regarding Claim 2, the phrase "an information revising step for receiving revised particulars of the pieces of laundry which are not same from the user in a case particulars of the pieces of laundry responded on the request are not the same with each other" is unclear and therefore indefinite. It is unclear if the revising is done by the user or if the particulars of the

Art Unit: 1711

laundry are not the same as the determination from the user. It is unclear if the particulars of the pieces of laundry are not the same as the other laundry or not the same as determined by a user.

8. Further regarding Claim 2, the phrase “an operation setting step for setting operation of each cycle with reference to the revised particulars, and the information on washing of the pieces of laundry obtained thus” is indefinite because it is unclear if the “information on washing of the pieces of laundry obtained thus” refers to the revised particulars.

9. Claim 8 recites “number of pieces of laundry obtained by the reader unit.” There is insufficient antecedent basis for this limitation in the claim.

10. Claim 8 recites “the water levels set thus” and “the weight determined.” There is insufficient antecedent basis for this limitation in the claim.

### **Claim Rejections - 35 USC § 102**

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**12. Claims 12-16 and 18-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Moschuetz (EP 0911710).**

13. Regarding Claims 12, 16, 18, and 22 Moschuetz discloses a control method comprising: an information obtaining step for obtaining information on properties of each piece of laundry from an information tag (2) on the piece of laundry introduced to an inside of a drum by using a reader unit (5; machine translation, paragraph 9); an information retrieving step for retrieving

Art Unit: 1711

information to be attended to or recommendable information on setting operation of each cycle from the information on properties obtained thus (machine translation, paragraphs 9-11); a noticing step for giving a notice on the information retrieved thus to the user (machine translation, paragraph 10).

14. Regarding Claims 13 and 19, Moschuetz discloses the information on properties includes information on material of the piece of laundry (machine translation, paragraphs 15, 18 and 20; note that "gewebeart" translates to "tissue" from German to English according to <http://translate.google.com> and Moschuetz also discloses the transponder may contain information, such as "tissue: cotton").

15. Regarding Claims 14 and 20, Moschuetz discloses information on a cycle temperature (machine translation, paragraphs 15 and 18).

16. Regarding Claims 15 and 21, Moschuetz discloses information on the main use of the piece of laundry (machine translation, paragraph 20; "type of the textile product: shirt").

17. Regarding Claim 23, Moschuetz discloses a preferable cycle temperature (abstract; machine translation, paragraph 15 and 18).

### **Claim Rejections - 35 USC § 103**

18. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 1711

19. **Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Moschuetz (EP 0911710).**

20. Moschuetz is relied upon as above, but does not expressly disclose wherein the information to be attended to in washing includes at least one kind of information selected from information on kinds of detergent which should not be used, and information on ranges of temperatures in which a cycle should not be performed. However, Moschuetz does disclose minimum recommended or maximum beneficial treatment temperatures can be on the transponder (machine translation, paragraphs 15 and 18), and one of skill in the art would recognize that temperatures outside of the recommended range could cause undesirable results; therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to further have the information attended to include at least information on ranges of temperatures in which a cycle should not be performed, yielding predictable result of reducing the likelihood of laundry being damaged by washing at inappropriate temperatures.

21. **Claims 2-6 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moschuetz (EP 0911710) in view of Koenck et al. (US 6,749,122).**

22. Regarding Claim 2, Moschuetz discloses a washing method comprising an information obtaining step for obtaining information on washing of pieces of laundry from information tags respectively of entire laundry introduced to an inside of a drum (abstract; machine translation, paragraph 9). Moschuetz further discloses that subsequent treatment of the laundry is determined according to the information read from the tags (“transponder”; see abstract). The household appliance can select optimum temperature, wash or dry duration, appropriated dosage of water and detergents (machine translation, paragraphs 10 and 11) and display

Art Unit: 1711

recommendations. If the selected treatment is not desired by the user, it can become aborted (machine translation, paragraph 12).

23. Moschuetz does not expressly disclose the steps of displaying information on particulars of the pieces of laundry in the information obtained thus, and requesting the user to determine whether the particulars displayed thus is the same with particulars of laundry having the user introduced thereto actually, or not; an information revising step for receiving particulars of the pieces of laundry which are not same from the user in a case particulars of the pieces of laundry responded on the request are not the same with each other; an operation setting step for setting operation of each cycle with reference to the revised particulars, and the information on washing of the pieces of laundry obtained thus.

24. Koenck discloses an invention related to data collection and processing systems including hand held data collection terminals (col. 1, lines 33-39). Data may be read in automatically by scanning indicia of information with a scanner (col. 1, lines 40-43). In one embodiment, Koenck discusses a scanner device (Figure 11, 75) including a scanner head (77), keyboard (78), and a display (79). The display is desirably an LCD display and is typically functional to display numeral or characters in a human-readable format of codes read by the scanner head. An operator may then verify the data prior to transmitting them to a data terminal device (39). In case of an error in the data read by the scanner head (77), or in case of an inability of the scanner head (77) to recognize the codes representing the data to be read, an operator may correct, override or enter data into the device and verify their correctness from the display. Figure 11; col. 19, line 29 through col. 20, line 23.



Art Unit: 1711

25. Because it is known in the art that automated scanners may have errors in reading data or an inability to read data and the data should be displayed to an operator to be verified and manually corrected in the case of errors, and the results of the modification would be predictable, namely, allowing an operator to verify and correct information, ensuring the laundry is treated appropriately, it would have been obvious to one of ordinary skill in the art at the time of the invention to display information on particulars of the pieces of laundry in the information obtained thus, and requesting the user to determine whether the particulars displayed thus is the same with particulars of laundry having the user introduced thereto actually, or not; an information revising step for receiving particulars of the pieces of laundry which are not same from the user in a case particulars of the pieces of laundry responded on the request are not the same with each other; an operation setting step for setting operation of each cycle with reference to the revised particulars, and the information on washing of the pieces of laundry obtained thus.

26. Claims 3 and 6 are considered to be taught by Moschuetz in view of Koenck as above.

27. Regarding Claims 3 and 6, Moschuetz discloses information on a cycle temperature (machine translation, paragraphs 15 and 18).

28. Regarding Claim 4, Moschuetz in view of Koenck is relied upon as above but does not expressly disclose wherein the information determining step includes the step of inducing the user to select a specific button for confirmation of the particulars of the laundry the same or not; however, this would read on simply using an enter key on a keyboard which is old and well-known way of confirming or entering data, and therefore would have been obvious to one of ordinary skill in the art to do so.

Art Unit: 1711

29. Regarding Claims 5 and 24, Moschuetz in view of Koenck is relied upon as above, but does not expressly disclose a step of setting operation of each cycle with reference only to information on washing of each piece of laundry obtained already in a case the particulars responded on the request in the information determining step are determined to be the same; however, if the information is determined to be the same, it must correctly identify the information particulars of the laundry loaded to the machine, and therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to use the already determined correct information.

30. **Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moschuetz (EP 0911710), in view of Koenck et al. (US 6,749,122), and further in view of Lee (US 5,388,299).**

31. Moschuetz in view of Koenck is relied upon as above, but does not expressly disclose wherein the information revising step includes the step of revising a difference between a number of pieces of laundry introduced to the inside of the drum actually, and a number of pieces of laundry obtained by the reader unit or the step of having the washing water levels set thus compensated for the weight determined based on the revised number of pieces of laundry.

32. Lee discloses a washing control system of a washing machine having the step of reading washing information on information mediums attached on clothes, and storing information of total weight of fiber obtained from the stored washing information into a corresponding memory, and setting washing conditions according to the total weight of fiber, one condition being the washing water level (abstract; col. 5, lines 30-38).

Art Unit: 1711

33. Lee teaches that the total weight of fiber can be automatically determined from summing the weights of individual clothes from information tags, and one of skill in the art would recognize that the total weight of items, such as a laundry in a laundry load, is directly related to the number of things present, such that weight could be determined or approximated by counting a number of items; therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to determine a weight of the clothes by automatically counting the number of items which are read during the information obtaining step, yielding the predictable results of determining a weight of the load to set an appropriate washing water level. And as shown above, it is prima facie obvious to revise values which have been determined automatically by a reader; therefore, it would have been obvious to one of skill in the art that the number of pieces of laundry could be revised to be more accurate and the weight could be determined from the revised number.

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID CORMIER whose telephone number is (571) 270-7386. The examiner can normally be reached on Monday - Thursday 8:30 - 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr can be reached on (571) 272-1414. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1711

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Joseph L. Perrin/  
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Primary Examiner  
Art Unit 1711

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4/21/2011